

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

John A. Baldi

v.

Case No. 04-CV-466-PB

John T. Broderick, Jr., et al.

O R D E R

On September 21, 2005, I issued a Memorandum and Order declining to exercise supplemental jurisdiction over Ronald and Gail Brown's counterclaims. As a result, I dismissed the counterclaims without prejudice.

John Baldi argues that this ruling is erroneous because the Browns invoked the court's diversity jurisdiction rather than its supplemental jurisdiction. If the Browns agree with Baldi's contention, they shall, on or before October 28, 2005, file a motion to reconsider the September 21, 2005 Memorandum and Order to the extent that it dismisses their counterclaims.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

October 19, 2005

cc: John A. Baldi, pro se
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Charles Russell, Esq.
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